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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellants:	Hideaki Nobusawa, et al.	Examiner:	James D. Ewart
Serial No.:	10/697,755	Art Unit:	2617
Filed:	October 30, 2003	Docket:	17160
For:	MOBILE TELEPHONE WITH REMOTE-CONTROLLING CAPABILITY, REMOTE-CONTROLLING METHOD AND SYSTEM THEREFOR		
Dated:	June 25, 2007		

Confirmation No.: 8759

Mail Stop Appeal Brief- Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

Sir:

Appellants respectfully submit this Reply Brief in Response to the Examiner's Answer dated April 23, 2007.

A. References fail to teach a group of remote control codes formed by "part of remote control code stored in memory and a remote control code associated with an operation button"

Appellants submit that the Examiner is misinterpreting the phrase "part of remote control codes of a group of remote control codes for a predetermined controlling operation" as recited in

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Dated: June 25, 2007


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Claims 19, 22, 29, 32 and 37-39. Specifically, the Examiner notes that the multistage operation key is formed from a subset of the entire set of remote control codes. One single depression of the multistage operation key may generate one, two or three codes. The claimed "part" of the remote control codes is a predefined part. The entire "group of codes" is needed for a predetermined controlling operation. Part is predefined and part is added by the user in response to a user operation. The part of the remote control codes is not a subset of the overall group of remote codes, i.e., a subset of the entire set of controls, but rather a separately defined code. The separately defined part of a group is stored in memory. The group of codes that is transmitted is a compilation of the predefined part of the group that is stored and a part is formed in response to the user operation. In other words, the group of control code (c) is comprised of (a) stored part and (b) user defined codes.

Accordingly, applying this interpretation, neither Stenman nor Shim teach the claimed group of remote control codes. Additionally, the Examiner's answer is not clear as to which reference the Examiner believes teaches this feature. Specifically, in the rejection of Claim 19, the Examiner avers that Stenman describes "a part of remote control codes of a group of remote control codes for predetermined controlling operation on the target equipment, yet in the rejection of Claim 22, 32, and 38, the Examiner admits that Stenman fails to teach "a part of a remote control codes of a second group of remote control codes for a predetermined second controlling operation on the target equipment." The part of the remote control codes is the same in both claims. The reference cannot teach the limitation in one claim and not teach the limitation in another.

Therefore, Stenman and Shim teach fail to teach each and every limitation of Claims 19, 22, 29, 32 and 37-39.

B. Claims expressly state that a user can add certain information to the stored part of the remote control codes.

The Examiner also asserts that nothing in the claim states that a user can add certain information to the stored part of the remote control codes. Appellants respectfully disagree. The claims state that the transmitted group of control codes is formed by (i) the remote control code associated with an operation button pressed by the user in advance and (ii) the part of remote control codes to perform the predetermined control operation on the target in response to a user operation. See, e.g., Claims 19 and 22.

C. Shim and Stenman fail to teach three modes of operation and three transmission methods

Claims 22, 32, 38 and 39 each recite three modes of transmission.

The Examiner equates the modes with the functionality of the remote control device. The Examiner states that the first mode is when the remote control is used for TV power, i.e., on/off. In the first mode, when the TV is powered on, the remote can be put into a second mode, which allows a change in the volume or channel. In the third mode, the buttons of the VCR are active and functional. Appellants note that several of the examples given by the Examiner for the second and third modes use the claimed first mode, e.g., fast forward, change channel and change volume.

Appellants note that the claimed remote control mode is not defined by a function of the TV or VCR or which buttons on the remote are active, but rather by the transmission method used by the remote control device. For example, in the first mode, a remote control code associated with one button of the plurality of operation buttons when the one button is pressed is

transmitted, in the second control mode, a first group of remote control codes is transmitted to the target equipment and in the third mode, a second group of remote control codes formed by a remote control code associated with an operation button pressed by a user in advance and the part of remote control codes in response to a user operation is transmitted.

At best, Shim teaches two modes of transmission. Shim describes a data output process for two cases: one in which the user manipulates keys which supply single data instructions only, and one in which the user manipulates a key for supplying a plurality of data instructions.

When the user manipulates the keys for supplying single data instructions, the remote controller IC 10 executes step S20 after determining that the key input exists in step S10 to buffer one output data instruction corresponding to the key signal received into the buffer within the remote controller IC 10. Since the key received by the user is a key for producing a single data instruction (S30), the single data instruction in the buffer (S20) is provided to the output (S50).....

When the user manipulates the key for supplying a plurality of data instructions, the remote controller IC 10 executes step S20 after determining that the key input exists in step S10 to buffer one output data instruction corresponding to the key signal received into the buffer within the remote controller IC 10. In step S30, it is determined that the key is one which provides plural data instructions, and in step S40, the plurality of data instructions are entered into the buffer.

Col. 3, lines 42-49; lines 53-60.

In either method of transmission, in Shim the output is a single data instruction corresponding to the key manipulation or a plural data instruction corresponding to the key manipulation. Stenman only teaches one transmission method.

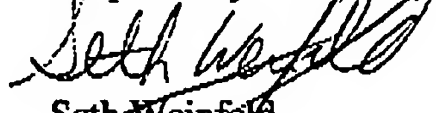
Accordingly, Stenman and Shim fail to teach each and every limitation of Claims 22, 32, 38 and 39.

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JUN 25 2007**Conclusion**

Based on the above arguments and remarks and in view of Appellants principle Appeal Brief, Appellants respectfully submit that the claims of the instant invention on appeal are not anticipated or obvious in light of Stenman, Shim, Wall, August or Goldstein, either individually or in combination. Consequently, the rejections of the claims based on such references are in error. The references applied against Claims 16-40 on appeal do not render those claims unpatentable under 35 U.S.C. § 103 (a). Thus, Appellants submit that the §103 rejections are in error and must be reversed.

A request for Oral Hearing is being filed concurrently herewith.

Respectfully submitted,


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